

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C.

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 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

In the Matter of)	
)	
Revision of the Commission's Rules)	CC Docket No. 94-102
To Ensure the Compatibility with Enhanced)	
911 Emergency Calling Systems)	
)	

COMMENTS OF AMERITECH

I. INTRODUCTION AND SUMMARY.

Ameritech files its Comments in response to the Commission's Public Notice on the Consensus Agreement Report on E911 compatibility. The overall purpose of this Report was to identify the processes associated with the implementation of wireless E911 and to identify problems and possible solutions associated with delays in Phase I wireless deployment.

Ameritech, like many other 911 service providers and wireless telecommunications carriers, is proactively deploying the transmission technology necessary to comply with the Commission's criteria for Phase I deployment of wireless E-911 services. However, due to the lack of clear delineation of the responsibilities of the various partners involved in implementing and providing wireless E911 service, delays in deployment of Phase I wireless capabilities have been encountered and Phase II deployment is potentially in jeopardy. Additionally, confusion over cost-recovery and liability protection have also further delayed the deployment of this capability. In order to eliminate these roadblocks to wireless E911 service, the Commission should explicitly

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define the responsibilities of all parties involved in wireless E-911 service, including the 911 service providers, establish state responsibility for the cost-recovery, and provide liability protection.

II. ARGUMENT.

A. 911 Service Providers Plays A Critical Role In Local Emergency Services That Must Be Recognized For A Successful Deployment Of The Service.

The Commission should recognize that 911 service providers, such as Ameritech, play a necessary role in the successful and timely deployment and provision of local wireless emergency services. This role must be recognized and defined for any successful deployment of new or revised E911 capabilities, including wireless services.

For instance, Ameritech, has successfully implemented and maintains local emergency services within Illinois, Indiana, Michigan, Ohio and Wisconsin on behalf of approximately 230 telecommunication services providers and over 800 Public Safety Answering Points (PSAPs). In order to provide emergency 911 services to these entities, Ameritech has successfully deployed 29 Selective Routing Switches for 911 service. In addition, Ameritech has also established a contractual service agreement with a national emergency service operation support system provider to maintain its state of the art emergency services offering to its customers (e.g., telecommunication service providers and PSAPs).

Ameritech actively participates in numerous industry forums which are currently addressing wireless E911 related issues, such as NENA, APCO, T1 Standards, and the Industry Numbering Committee. Ameritech has supported these industry efforts because they help assure the continued successful implementation, integrity and future growth of emergency services, on both on a local and a national level. Ameritech, as a member of

local emergency services teams, also leads and/or participates in numerous 911 service local implementation discussions and educational activities.

B. The Responsibilities Of The Various Partners, Including 911 Service Providers, Involved In The Implementation Of Wireless Emergency Service Must Be Defined And Coordinated.

As a 911 service provider in multiple states, Ameritech has successfully partnered with telecommunication service providers and PSAPs to deploy various emergency services transmission technologies to support numerous emergency services (e.g., Basic, Enhanced and Sophisticated 911, as well as Wireless Phase I). Ameritech has learned first hand from these experiences the complexity of deploying the necessary hardware and software required to provide reliable 911 service, as well as the need for a cooperative environment among the various partners to assure the integrity of such service offerings.

Based on its experience as a 911 service provider, Ameritech recommends that the Commission recognize that the 911 service providers are a critical partner in deployment of wireless emergency service. The Commission should also clarify the responsibility of each of the partners involved in deploying and providing wireless 911, including the 911 service providers, the wireless carriers, and the PSAPs, so there is no ambiguity as to the functions that each partner is responsible to perform. The Commission should then require that all of these partners coordinate their efforts, as required to achieve timely and successful deployment of the transmission technology that fully complies with the applicable standards necessary to support Phase I requirements.

C. The Commission Should Reaffirm The Responsibility Of Local And/Or State Governmental Agencies To Provide For Cost-Recovery, Clarify What Costs Are Eligible For Reimbursement, And Reject “Bill And Keep” As A Recovery Mechanism.

In order to help prevent additional confusion that could further delay Phase I, the Commission should reaffirm the responsibility of local and/or state governmental agencies to provide for effective cost-recovery. The “costs” incurred by the parties involved in the Phase I implementation efforts will be very substantial, but they have been the subject of endless local debate and uncertainty. The potential that this confusion will intensify and further delay the implementation of Phase I and II is very likely. Ameritech is not suggesting that the Commission jeopardize the arrangements currently in place today, but merely provide clarification that state and local government agencies are in fact responsible to provide for cost-recovery, what costs are eligible for reimbursement, and how funds may be collected and possibly disbursed. The Commission could also clarify that such recovery mechanisms must be competitively-neutral, as that term is defined for long-term number portability.

Also, in order to help prevent further delays in the cost recovery process, the Commission should clarify that “bill and keep” proposals are not acceptable. Basically, bill and keep is not a viable cost-recovery mechanism for 911 for three reasons: 1) about half the states have already enacted legislation – the industry is too far down the road to change to bill and keep at this late date, 2) bill and keep, if it means a per call charge on a bill, may discourage users from dialing 911, thereby thwarting the “good samaritan” from calling to report emergencies, and 3) bill and keep could discourage carriers from deploying as many PSAPs, as high quality 911 service may require. This would

presumably make their charge higher than a carrier who might choose a less expensive or lesser quality option for competitive reasons.

These steps will help eliminate the reluctance of some parties to undertake to provide wireless E911 service, thereby accelerating the deployment of the service.

D. The Commission Should Provide Additional Direction On The Limitation Of Liability.

Ameritech, like many wireless telecommunication carriers and 911 service providers, is concerned about providing additional emergency services without assurance of a reasonable level of liability protection. Due to the nature of wireless technology, it is beyond the control of Ameritech, or any other provider, to assure that every wireless E911 call attempt will be completed. Thus, some form of effective liability protection is required in order to protect against excessive liability resulting from inevitable service disruptions that are an inherent part of the service.

This type of limited liability protection is routinely provided at the state and local level for wireline E911 services. The problem for wireless service is that local and/or state liability provisions provide minimum protection, since wireless systems commonly do not conform to a given local and/ or state geographic territory. Moreover, not all local communities have chosen to address this issue for wireless carriers. Therefore, the Commission should fill the gap and provide reasonable E911 wireless liability protection on a national basis. Ideally, the industry needs “good faith” liability protection that is available to all parties that provide reasonably adequate emergency service in conformance with the then current national standards.¹ At minimum, the Commission

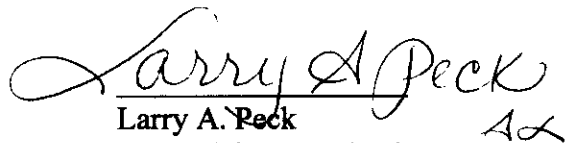
¹ The Wireless Communications and Public Safety Act of 1999 (H.R. 438) passed the House of Representatives 415-2 on February 24, 1999. A companion bill, S. 800, unanimously passed the Senate on August 5, 1999.

should extend to the wireless telecommunication providers the same liability protection enjoyed by their wireline counterparts. This step will also help eliminate the reluctance of some parties to undertake to deployment of wireless E911 service.

III. CONCLUSION.

Ameritech, as both a wireless carrier and a 911 service provider, is acquiring and installing the transmission technology necessary to support the timely implementation of Phase I wireless E911 services. However, several factors still exist which hinder these efforts to implement Phase I wireless 911 service. To expedite deployment of wireless E911, the Commission should define the responsibilities of all parties involved in wireless E911 service, including the 911 service provider; reaffirm state responsibility to establish an effective cost-recovery mechanism; and adopt a national liability protection provision.

Respectfully submitted,

A handwritten signature in cursive script that reads "Larry A. Peck". To the right of the signature is a small handwritten mark that appears to be "AL".

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